

Public Hearing: March 11, 2013

## FACT SHEET

**TITLE:** License Agreement with The Salvation Army for use of Parking

**SPONSOR:** Lincoln Parks & Recreation

**OPPONENTS:** None know.

**OTHER DEPARTMENTS AFFECTED:**

**STAFF RECOMMENDATION:** For

**APPLICANT:** Lincoln Parks & Recreation

**REASON FOR LEGISLATION:**

Allow The Salvation Army exclusive use of five parking spaces within the Pentzer Park parking lot in order to meet the requirements of an amendment to the Special Permit and a building permit for a storage space addition.

## DISCUSSION

This is a proposed license agreement between the City of Lincoln and The Salvation Army for the use of five parking spaces north of their facility within the Pentzer Park Parking lot, which lies between The Salvation Army facility and Pentzer Park. The parking spaces proposed to be leased fall within the vacated Potter Street right-of-way. When Potter Street was vacated in 2003, the City retained ownership of the entire area. At that time, The Salvation Army was allowed the exclusive use of four parking spaces via a Memorandum of Understanding with the Parks and Recreation Department in return for The Salvation Army providing snow removal for the entire Pentzer Park parking lot.

The Salvation Army recently submitted applications for an amendment to their Special Permit and a building permit for a storage space addition. During the review process, it was determined that the MOU did not suffice to legally meet The Salvation Army's requirement for 4 of 18 required parking spaces, and that a license agreement needed to be approved by the City Council. The amendment to the Special Permit and the building permit have been approved conditioned upon this agreement being finalized. (Two alternative site plans were approved, with one showing use of spaces in the Pentzer Park parking lot, and the other showing additional spaces being built by The Salvation Army west of their current parking lot, which The Salvation Army does not intend to build). This agreement adds 1 handicapped parking space for a total of 5 parking spaces proposed to be leased (Pentzer Park will continue to meet ADA requirements for handicapped parking with 3 remaining spaces).

Because the Salvation Army's expansion is for storage space only, and in recognition of the previous MOU which allowed the use of 4 parking spaces at the time that Potter Street was vacated, the staff recommends approval of this License Agreement. While it will add one parking space, it essentially formalizes a previous agreement for use of parking by The Salvation Army.

**POLICY OR PROGRAM CHANGE:** No

**FACT SHEET PREPARED BY:**

**REVIEWED BY:**

  


Director of Parks and Recreation